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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,339	02/07/2002	Santhosh Kumaran	YOR920010613US1	6352
36743 7590 07/22/2008 WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190				
EXAMINER DESHPANDE, KALYAN K				
ART UNIT 3625		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/068,339

Applicant(s)

KUMARAN ET AL.

Examiner

Kalyan K. Deshpande

Art Unit

3625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Introduction

1. The following is a final office action in response to the communications received on April 7, 2008. Claims 1-6 and 17-19 are now pending in this application.

Response to Amendments

2. Applicants' amendments to claim 1 is acknowledged. Applicants' cancellation of claims 7-16 is acknowledged.

Response to Arguments

3. Applicants' arguments have been fully considered but are not found persuasive. Applicants argues 1) the claims as amended render the claims satisfactory under 35 U.S.C. 112 2nd paragraph, 2) Stewart fails to teach an ADOC that can "link content aggregated from various data sources to business collaboration processes and people, wherein an available set of services in said business process varies with a change in a business state of ADOC instances to orchestrate a variety of applications and user interactions in a context of said business collaboration process" or that can "assemble an integrated user experience through sequencing of ADOC views, wherein said ADOC views depend on said business state in the business collaboration processes and roles people have in the business collaboration process" as per claim 1 (see Remarks pp. 6-7), and 3) Stewart fails to teach various limitations from claims 2-6 and 17-19 (see Remarks pp. 7-9).

In response to Applicants' argument the claims as amended render the claims satisfactory under 35 U.S.C. 112 2nd paragraph, Examiner respectfully disagrees.

Specifically, Applicants have neither explained the limitations that rendered the claims indefinite nor amended those limitations. As such, Examiner is confused to why Applicants' explicitly state "the amendments address rejection lodged under 35 U.S.C. 112, second paragraph" (see Remarks p. 4). These limitations are not amended or explained by the amendments. As such, Examiner maintains the previously asserted 35 U.S.C. 112 2nd paragraph rejections.

In response to Applicants' argument Stewart fails to teach an ADOC that can "link content aggregated from various data sources to business collaboration processes and people, wherein an available set of services in said business process varies with a change in a business state of ADOC instances to orchestrate a variety of applications and user interactions in a context of said business collaboration process" or that can "assemble an integrated user experience through sequencing of ADOC views, wherein said ADOC views depend on said business state in the business collaboration processes and roles people have in the business collaboration process" as per claim 1 (see Remarks pp. 6-7), Examiner respectfully disagrees. Applicants' appear to be summarizing the present invention and summarizing Stewart, without specifically pointing out what distinguishes the present invention from Stewart. After Applicants' summaries, Applicants' conclusively state that Stewart fails to teach claim 1. As such, Examiner concludes that Applicants' arguments are a mere allegation of patentability and fail to comply with 37 C.F.R. 1.111(b).

In response to Applicants' argument Stewart fails to teach various limitations from claims 2-6 and 17-19 (see Remarks pp. 7-9), Examiner respectfully disagrees.

Applicants again appear to be merely summarizing the present invention and Stewart and fail to specifically point out what distinguishes the present invention from Stewart.

As such, Examiner concludes that Applicants' arguments are a mere allegation of patentability and fail to comply with 37 C.F.R. 1.111(b).

Examiner notes the following discussion of Official Notice taken from the MPEP:

To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard*, 139 F.2d at 713, 60 USPQ at 241 ("[I]n the absence of any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention."). A general allegation that the claims define a patentable invention without any reference to the examiner's assertion of official notice would be inadequate. If applicant adequately traverses the examiner's assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See 37 CFR 1.104(c)(2). See also *Zurko*, 258 F.3d at 1386, 59 USPQ2d at 1697 ("[T]he Board [or examiner] must point to some concrete evidence in the record in support of these findings" to satisfy the substantial evidence test). If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2). If applicant does not traverse the examiner's assertion of official notice or applicant's traverse is not adequate, the examiner should clearly indicate in the next Office action that the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was inadequate. If the traverse was inadequate, the examiner should include an explanation as to why it was inadequate. (MPEP § 2144.03(C))

Applicants have not "specifically point[ed] out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art." For these reasons, the feature of "assembling an integrated user experience through sequencing of ADOC views" is taken to be admitted prior art because Applicant's traversal was inadequate.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6 and 17-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-6 and 17-19 recite the step of "assembling an integrated user experience". It is unclear from the claim language and the specification what is encompassed by this step. For the purposes of examination, Examiner interprets this step to encompass providing access to the state of the workflow of ADOCs to the user.

Claims 1-6 and 17-19 also recite the use of "Adaptive Documents" (ADOCs). However, it is unclear from the specification how these documents are adaptive or what distinguishes ADOCs from a document of ordinary use. For the purposes of examination, Examiner interprets ADOCs to include documents used for managing a workflow.

"each with an embedded state machine or controller therein"

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-6 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. (U.S. Patent Publication No. 20020019797).

As per claim 1, Stewart teaches "a method for e-business solution assembly for process brokering and content aggregation comprising the steps of: supplying business collaboration process definitions" (see Stewart paragraphs 56, 59, 61, 79, and 84; where business processes are defined for the workflow system.) and "composing one or more Adaptive Documents (ADOCs), each with an embedded state machine or controller therein, for business collaboration processes, wherein each ADOC composed in said composing step links content aggregated from various data sources to business collaboration processes and people, wherein an available set of services in said business collaboration processes varies with a change in a business state of ADOC instances to orchestrate a variety of applications and user interactions in a context of a business collaboration process" (see Stewart paragraph 30, 84, 169-170 and 377; where a collaboration system interfaces with workflow systems to enable collaboration. The collaboration involves the use of multi-format messages, which is the same as an Adaptive Document. The workflow maintains the state using state diagrams. The collaboration system can be used in conjunction with logic plug-ins which involve the use of a variety of applications.). Stewart further discloses enabling users to interact

with the collaboration messages (see Stewart paragraph 82) but fails to explicitly teach “assembling an integrated user experience through sequencing of ADOC views, wherein said ADOC views depend on said business state in the business collaboration process and roles people have in the business collaboration process”. Examiner takes Official Notice that it is old and well-known in the art to perform this step. The advantage of such a feature is that it promotes the ease of use of the software. It would have been obvious, at the time of the invention, to modify Stewart to include this step in order to promote the ease of use of the software.

As per claim 2, Stewart teaches:

The method of claim 1, further comprising the step of formulating business objects that are referenced from the ADOCs (see Stewart paragraphs 71 and 282; where objects are referenced from the collaboration messages.).

As per claim 3, Stewart teaches:

The method of claim 1, further comprising the steps of:
defining a set of messages (see Stewart paragraphs 25-28; where universal messages are defined.); and
generating application adapters to communicate with back-end systems using the set of messages to represent business data (see Stewart paragraphs 79-80; where an integrator (adapter) is used to communicate with back end systems through the use of messages.).

As per claim 4, Stewart teaches:

The method of claim 1, wherein the step of composing ADOCs comprises the steps of:

specifying valid application states for aggregated content (see Stewart paragraph 30 and 377; where states are defined.); and

specifying business rules for orchestrating state transitions (see Stewart paragraphs 30, 132, 169, and 377; where rules are used to govern state transitions.).

As per claim 5, Stewart teaches:

The method of claim 1, wherein interactions with said ADOCs is through programmatic means (see Stewart paragraphs 25-28 and 82-84; where programmed logic manipulates the collaboration messages.).

As per claim 6, Stewart teaches:

The method of claim 1, wherein interactions with said ADOCs is through view-based human interactions (see Stewart paragraphs 25-28 and 82-84; where human users interact with the collaboration messages.).

As per claim 17, Stewart teaches:

The method of claim 1 further comprising the step of allowing clients to perform one or more creating, deleting, archiving, and restoring ADOCs (see Stewart paragraphs 25-28 and 82-84; where collaboration messages can be created, deleted, saved and accessed.).

As per claim 18, Stewart teaches:

The method of claim 1 further comprising the step of allowing clients to query the business state of the ADOC (see Stewart paragraphs 132, 169, and 377; where clients can view the state.).

As per claim 19, Stewart teaches:

The method of claim 1 further comprising the step of allowing a client to raise an event against a specific ADOC instance (see Stewart paragraphs 25-28, 82-84, and 146-147; where clients can initiate or terminate conversations. The initiation and termination are events against a specific collaboration message.).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571)272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jeffrey A. Smith/
Supervisory Patent Examiner, Art
Unit 3625

/KKD/